

Amendment No. 4 to HB0813

Sargent
Signature of Sponsor

AMEND Senate Bill No. 644*

House Bill No. 813

by deleting Section 3 and substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 40-33-204, is amended by adding the following new subsection (j):

(1) A person in possession of, a secured party of, or an owner of property for which a forfeiture warrant has been issued by a magistrate or judicial commissioner may appeal the forfeiture warrant within ten (10) days of issuance for review by the general sessions court in the county in which the seizure occurred. On appeal, the general sessions court shall conduct a hearing and review the issuance of the forfeiture warrant within ten (10) days of the appeal being filed.

(2) Notwithstanding subsection (g), if a forfeiture warrant was issued by a magistrate or judicial commissioner, the warrant, a copy of the affidavit, and the notice of seizure shall not be sent to the applicable agency until:

(A) Seven (7) business days after the time period to appeal the forfeiture warrant has ended and no appeal has been filed; or

(B) Seven (7) business days after the general sessions judge has affirmed the issuance of the forfeiture warrant, if the warrant was appealed.